

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

BRUCE LYLES,

Plaintiff,

v.

Civil Action 2:12-cv-00751

Judge Gregory Frost

Magistrate Judge Elizabeth P. Deavers

CAPITAL - EMI MUSIC INC., *et al.*,

Defendants.

ORDER

The Court gives notice that it is in receipt of the attached correspondence from counsel for Capitol Records, LLC. (ECF No. 13.) Counsel notifies the Court that Capitol's mailroom personnel inadvertently accepted certified-mail service on behalf of Taio Cruz, Lukasz Gottwald, Katy Perry and Usher Raymond. Capitol lacks authority to accept service on behalf of these Defendants. In light of the foregoing, Plaintiff is advised that he has not perfected service on Taio Cruz, Lukasz Gottwald, Katy Perry or Usher Raymond. Plaintiff is, therefore, **DIRECTED** to provide the clerk of court with new service forms and a copy of the Complaint for each of these Defendants, along with each Defendants' correct address, so that the United States Marshal can effect service. Plaintiff is cautioned that failure to provide the appropriate service materials and correct addresses will result in the failure to serve Defendants pursuant to Rule 4(m) of the Federal Rules of Civil Procedure.¹ Failure to comply with Rule 4(m) could result in the

¹ Federal Rule of Civil Procedure 4(m) specifically provides:

If a defendant is not served within 120 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against the defendant or order that service be made within a

dismissal of this case.

IT IS SO ORDERED.

Date: November 7, 2012

/s/ Elizabeth A. Preston Deavers

Elizabeth A. Preston Deavers
United States Magistrate Judge

specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Fed. R. Civ. P. 4(m).